

**\*\* NOT FOR PRINTED PUBLICATION \*\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

DONALD FOSTER §  
VS. § CIVIL ACTION NO. 9:21-CV-10  
DANIEL D. DICKERSON, *et al.*, §

## ORDER ACCEPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Donald Foster, an inmate currently confined at the Polunsky Unit with the Texas Department of Criminal Justice, Correctional Institutional Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against defendants Daniel D. Dickerson, Billy Jackson, Jody Vincent, Mohamed Touhami, and K. Scott.

The court referred this matter to the Honorable Keith GIBlin, United States Magistrate Judge, at Lufkin, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends this case be dismissed pursuant to 28 U.S.C. § 1915(g) (docket entry no. 2).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge have been filed to date.<sup>1</sup>

## ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ACCEPTED**. A Final Judgment will be entered in this

<sup>1</sup>Plaintiff received a copy of the Report and Recommendation on January 28, 2021 (docket entry no. 3) and requested an extension to file Objections which was granted (docket entry nos. 4 & 5). Plaintiff received a copy of the order granting the extension on March 23, 2021 (docket entry no. 6). Despite ample time to file Objections, plaintiff has yet to do so.

case in accordance with the Magistrate Judge's recommendations.

So ORDERED and SIGNED, Apr 15, 2021.

A handwritten signature in black ink, appearing to read "Ron Clark", written over a horizontal line.

Ron Clark  
Senior Judge